



Brian D. Carr
Email: bcarr@mclclaw.com
Phone: (518) 855-3535

June 11, 2024

VIA CM/ECF

The Honorable Lewis J. Liman
United States District Court
Southern District Of New York
500 Pearl Street, Ste 8
New York, NY 10007

Re: Trucking Association of New York v.
Metropolitan Transportation Authority, et al., 24-
cv-04111-LJL
Our File: 41129

Dear Judge Liman:

This office represents plaintiff Trucking Association of New York (“TANY”) relative to the above-referenced matter. Please accept this correspondence in response to the Court’s Text Order of June 10, 2024.

As the Court is aware, TANY’s motion for a preliminary injunction, which seeks an Order enjoining the defendants from implementing the Central Business District Tolling Program (“Tolling Program”), remains pending. At the time TANY filed its lawsuit and made this motion, the Tolling Program was scheduled to begin operations on June 30, 2024.

On June 5, 2024, counsel for the Metropolitan Transportation Authority (“MTA”) wrote a letter to the Court stating, “we no longer anticipate implementation of the Tolling Program on the prior expected implementation date of June 30, 2024.”

However, this letter did not definitively state to the Court that the Tolling Program will not commence on June 30, 2024, nor did it state with certainty whether the Tolling Program will eventually be implemented at all.

MONACO COOPER LAMME & CARR, PLLC
1881 Western Avenue, Suite 200, Albany, NY 12203
(518) 855-3535 | mclclaw.com

Trucking Association of New York
v. Metropolitan Transportation Authority, et al.
June 11, 2024
Page 2 of 2

MTA's counsel and I held a meet-and-confer phone conference on Friday, June 7th to address these issues. During the phone conference, I advised that TANY does not, in principle, have an objection to an adjournment of the current motion. However, we are not in a position to adjourn the motion beyond the Tolling Program's implementation date, if any.

Substantial uncertainty remains surrounding the Tolling Program and, by extension, TANY's lawsuit and motion. Just last evening, MTA CEO Janno Lieber stated in public comments that MTA intends to continue litigating the various lawsuits pending which relate to the Tolling Program.

We are hopeful that MTA will provide a definitive clarifying statement to the Court regarding the future of the Tolling Program, which will then allow us to state whether the case is moot, or whether the motion requires a decision.

Respectfully submitted,



BRIAN D. CARR